

ORIGINAL

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**UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII**

FEB 21 2007

at 5 o'clock and 56 min. PM
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 04-00053 DAE
Plaintiff,)
vs.) NOTICE OF HEARING;
SILVER JOSE GALINDO,) DEFENDANT'S MOTION TO
Defendant.) SEVER OFFENSES;
) MEMORANDUM OF LAW;
) EXHIBIT 1; CERTIFICATE OF
) SERVICE
)

NOTICE OF HEARING

TO: Darren W.K. Ching, Esq.
Assistant U.S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Blvd., Box 50183
Honolulu, HI 96850
Attorney for U.S.A.

Notice is hereby given that the attached motion shall come on for hearing before the Honorable _____, Judge of the above-entitled Court, in his or her courtroom at 300 Ala Moana Blvd., Honolulu, Hawaii, on _____, 2007, at _____ .m., or as soon thereafter as counsel and all parties may be heard.

DATED: Honolulu, Hawaii; February 20, 2007

Jack Schweigert, Esq.
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 04-00053 DAE
Plaintiff,)
vs.) DEFENDANT'S MOTION TO
SILVER JOSE GALINDO,) SEVER OFFENSES
Defendant.)
_____)

DEFENDANT'S MOTION TO SEVER OFFENSES

COMES NOW DEFENDANT SILVER JOSE GALINDO, by and through
counsel, and moves this Honorable court to sever the offenses to make 5 separate
trials, i.e.:

Trial 1: Count 1, on or about March 11, 2004, involving possession with intent to sell 5 grams of methamphetamine;

Count 2, on or about March 11, 2004, involving use of a weapon
in a drug trafficking crime;

Trial 2, Count 3, on or about February 29, 2004, involving a felon in possession of a firearm (Beretta):

Trial 3, Count 4, on or about January 2004, involving physical force to
tamper with a witness:

Count 5, on or about January 2004, involving using a weapon in
witness tampering;

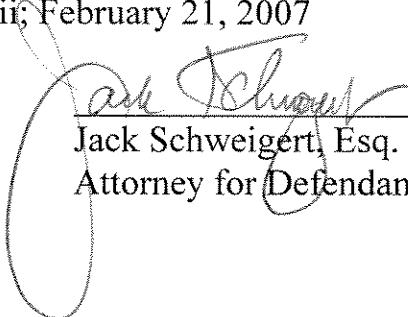
Trial 4, Count 6, on or about September 6, 2003, involving felon in
possession of a firearm (Colt);

Trial 5, Counts 7, on or about August 2003, involving possession with
intent to sell 5 grams of methamphetamine; and,

Count 8, on or about July through August 2003, involving use of a
weapon in a drug trafficking crime.

This motion is made pursuant to Rule 14, Federal Rules of Criminal Procedure,
as well as the 5th and 14th Amendments to the U.S. Constitution, and supported by
the attached Memorandum of Law, Exhibit 1, arguments to be made at the hearing,
and the record and file.

DATED: Honolulu, Hawaii; February 21, 2007



Jack Schweigert, Esq.
Attorney for Defendant